

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 104**

Citations Affected: IC 34-10.

Synopsis: Right to pauper attorney in civil actions. Repeals the general duty of a county to provide an attorney to an indigent person involved in civil litigation. (This conference committee report restores SB 104 to the version of the bill that passed out of the Senate judiciary committee and eliminates provisions added by the House of Representatives that: (1) change the name of the public defense fund to the civil and indigent counsel fund; (2) provide for a \$2 civil indigent fee to be added to the cost of a birth certificate; (3) require the civil indigent fee be deposited in the civil and criminal indigent counsel fund and used to reimburse counties for expenses related to appointment of counsel in civil indigent cases; and (4) convert the general duty of a court to appoint an attorney for an indigent person in a civil action into a discretionary power to appoint counsel.)

Effective: Upon passage.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 104 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
 - 2 A BILL FOR AN ACT to repeal provisions of the Indiana Code
 - 3 concerning civil procedure.
 - 4 Page 1, delete lines 1 through 17.
 - 5 Delete pages 2 through 5.
 - 6 Page 6, delete lines 1 through 39.
 - 7 Page 6, line 40, delete "10. IC 34-10-1-2 IS AMENDED TO
 - 8 READ AS" and insert "1. THE FOLLOWING ARE REPEALED".
 - 9 Page 6, line 41, delete "FOLLOWS".
 - 10 Page 6, line 41, delete "Sec. 2. (a) If the court" and insert "IC
 - 11 34-10-1; IC 34-10-2.".
 - 12 Page 6, delete line 42.
 - 13 Page 7, delete lines 1 through 16.
 - 14 Renumber all SECTIONS consecutively.
- (Reference is to ESB 104 as reprinted April 11, 2001.)

Conference Committee Report
on
Engrossed Senate Bill 104

Signed by:

Senator Kenley
Chairperson

Representative Dvorak

Senator Alexa

Representative Steele

Senate Conferees

House Conferees